1 2 3 4 5 6 7	THOMAS E. FRANKOVICH (State Bar No. THOMAS E. FRANKOVICH, A Professional Law Corporation 4328 Redw2ood Hwy, Suite 300 San Rafael, CA 94903 Telephone: 415/444-5800 Facsimile: 415/674-9900 Attorneys for Plaintiff DAREN HEATHERLY; and IRMA RAMIRI		
8			
9	NORTHERN DISTRICT OF CALIFORNIA		
	DADEN HEATHEDLY LIDMA	CASE NO. CV-11-5293-EDL	
10	DAREN HEATHERLY and IRMA RAMIREZ,	STIPULATION AND [PROPOSED]	
11	Plaintiffs,	ORDER RESETTING CASE MANAGEMENT CONFERENCE SET FOR	
12	Traintitis,	OCTOBER 30, 2012	
13	v.)	
14	SIZZLER #0384; ORLANDO ANTONINI;		
	TOWNVIEW, a General Partnership;)	
15	ANTONINI FAMILY PARTNERSHIP; ORLANDO J. ANTONINI; MADELINE		
16	F. MAJOR; JOHN R. ANTONINI; U & S		
17	CORPORATION, a California Corporation;))	
18	SHAZIA KAHN, an individual; and		
	SHARIF UMAIR, an individual,		
19	Defendants.))	
20			
21	The parties, by and through their respective counsel, stipulate to continue the Case		
22	Management Conference set for October 30, 2012 at 10:00 a.m.		
23	1. Whereas , plaintiffs were having difficulties with service for landlord/defendants.		
24	However, after finally obtaining the correct landlord/defendants, amending the complaint and		
25	several attempts to try and serve landlord/defendants, all defendants have been served with the		
26	summons and complaint and have answered plaintiffs' complaint in the above-captioned action;		
27	and		
28	///		
	STIPULATION AND [PROPOSED] ORDER RESETTING CASE	MANAGEMENT CONFERENCE SET FOR OCTOBER 30, 2012	

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1	2. Whereas , due to these circumstances and a conflict in calendar, the parties have		
2	not conducted the Order 56 Joint Site Inspection; and		
3	3. Whereas , the parties have coordinated a date and are currently scheduled to have		
4	the General Order 56 Joint Site Inspection at the Sizzler #0384 Restaurant located at/near 1440		
5	Townview Lane, Santa Rosa, California on on November 12, 2012; and		
6	4. Whereas , within ten (10) days from the inspection plaintiffs will make a global		
7	demand; and		
8	5. In light of the above , the parties wish to preserve the court's resources by		
9	avoiding an unproductive Case Management Conference and by deferring the Case Management		
10	Conference will allow the parties sufficient time to have the joint site inspection and/or try and		
11	resolve the above-action at the mediation. Therefore, the parties respectfully request that the		
12	Case Management Conference set for October 30, 2012, at 10:00 a.m. with the exception of		
13	December 24, 2012, be continued up to and including January 4, 2013 and/or a date that is		
14	convenient to the court.		
15	IT'S SO STIPULATED.		
16	5	Respectfully submitted,	
17	7		
18	Dated: October 23, 2012	ΓΗΟΜΑS E. FRANKOVICH,	
19)	A PROFESSIONAL LAW CORPORATION	
20			
21	. 	By:/s/Thomas E. Frankovich	
22		Thomas E. Frankovich	
23		Attorney for Plaintiffs DAREN HEATHERLY and IRMA	
24	I	RAMIREZ	
25	5 ///		
26	5 ///		
27	/ ///		
28	3 ///		
	STIPULATION AND [PROPOSED] ORDER RESETTING CASE MANAGEMENT CONFERENCE SET FOR OCTOBER 30, 2012		

1	Dated: October 23, 2012	Donald L. Cox, Esq.,	
2		LAW OFFICES OF DONALD L. COX	
3			
4		By:/s/Donald L. Cox	
5		Donald L. Cox, Esq. Attorney for Defendant U & S CORPORATION, a	
6		California Corporation; SHAZIA KAHN, an individual;	
7		and SHARIF UMAIR, an individual	
8			
9	Dated: October 23, 2012	JEFFER, MANGELS, BUTLER & MITCHELL LLP	
10			
11		By: /s/Martin H. Orlick	
12		Martin H. Orlick, Esq.	
13		Attorney for Defendants ORLANDO ANTONINI;	
14		TOWNVIEW, a General Partnership; ANTONINI	
15		FAMILY PARTNERSHIP; ORLANDO J. ANTONINI;	
16		MADELINE F. MAJOR; JOHN R. ANTONINI	
17			
18	<u>ORDER</u>		
19	IT IS SO ORDERED that the Case Management Conference set for Tuesday, October		
20	30, 2012 at 10:00 a.m., is vacated and/or continued to, 2012, at, 2012, at		
21	a.m./ p.m. The parties shall file a Joint Case Management Statement		
22	no later than seven (7) days prior to the Conference.		
23			
24		81.10 6 1	
25	Dated: <u>October 25</u> , 2012	Honorable Elizabeth D. Laporte	
26		United States Magistrate Judge	
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